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STATE FOR ISN/CB, VCI/CCA, L/NPV, IO/MPR,
SECDEF FOR OSD/GSA/CN,CP>
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (ROBERTS)
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WINPAC FOR WALTER

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SUBJECT: CHEMICAL WEAPONS CONVENTION (CWC): WRAP UP FOR THE
WEEK ENDING DECEMBER 14, 2007

REF: A) E-MAIL MIKULAK-CWC DEL 11 DEC 2007

This is CWC-93-07.

WEOG MEETING

11. (SBU) The Western European and Others Group (WEOG) met on December 12 to discuss preparations for the Review Conference (RevCon). The coordinator, Annie Mari (France), also proposed at the request of the Netherlands to hold an expanded WEOG meeting either January 22 or 20 to discuss voluntary contributions. Several delegations asked for additional detail on who would be invited and what might be included in the agenda. The coordinator suggested inviting EU members not in the WEOG, Japan and South Korea, and that depending on the timing, the agenda might well include topics like the RevCon chair. A Dutch delegate noted that her government would like to share views on resource management, experience with OPCW projects, preferences of other donors to fund certain projects, and donor coordination in general. WEOG delegations seemed amenable to the idea but no date was set for the meeting.

REVCON WORKING GROUP

12. (U) On December 12, UK Ambassador Lyn Parker chaired a meeting of the Working Group on Preparations for the Second Review Conference to continue discussing the recently distributed &Note by the Technical Secretariat: Review of the Operation of the Chemical Weapons Convention since the First Review Conference8 (WGRC-2/S/1). Amb. Parker tried to organize the discussions into three large groupings of topics from the Note, but many delegations ignored this and gave their comments in single prepared statements. U.S. Del made points from guidance (ref a) during discussion of two of the three groupings. Nearly all who intervened said that these were their initial reactions only, given the recent release of the Note, and that further comments were likely to be

submitted. Amb. Parker reminded delegations that they should submit written comments by January 3, if possible, to ease further discussions and report drafting.

¶3. (U) Early in the meeting, the Cuban ambassador made a comprehensive statement on behalf of the Non-Aligned Movement (NAM) States Parties (SPs) and China. Some of the highlights and surprises were:

- The purpose of the RevCon is to solely review current functioning of the OPCW, not to look more broadly, and should focus on destruction.
- The current destruction pace is of concern, along with discussing old and abandoned chemical weapons (CW).
- It is too early to discuss the eventual shift in focus from destruction to nonproliferation, as the CWC itself is not a nonproliferation instrument.
- Verification efforts need to take into account the hierarchy of risk and that a shift from this would be viewed as a significant change in CWC implementation.
- Industrial sites in developing SPs do not necessarily pose more of a risk to the object and purpose of the CWC.
- Open source information has no status in verification.
- Challenge inspections are seen as a last resort and, by the language of the CWC, must be preceded by consultation, etc. Unresolved issues surrounding challenge inspection preparation need to be resolved.
- There is a need to review and make recommendations regarding non-lethals, to include riot control agents and incapacitants already in use.
- There needs to be a convincing justification made regarding the general purpose criterion and its relevance, keeping a particular eye toward not hampering Articles VI and XI.
- Anti-terrorism efforts within the OPCW can be best

achieved by full implementation of the CWC.

¶4. (U) Several delegations (South Africa, China, Algeria, India) associated themselves with the NAM statement, giving particular emphasis to some points. In an unusual move, the Iranian ambassador attended the meeting and made a painfully long intervention that repeated many items (usually word-for-word) from the NAM statement. Iran went on to: highlight a review of CW destruction (stating that any failure to meet deadlines is non-compliance); refer to the Anniston visit and the DG's observations from that visit; note that all of the OPCW's interactions with the UN and other international organizations on terrorism must be brought to the Executive Council; indicate that the Industry and Protection Forum was a one-time event and not meant to have a life of its own; point to the lack of readiness under Article X (mentioning CW victims); and mention free-trade and regulatory considerations.

¶5. (U) Japan made a lengthy intervention that highlighted a number of elements from the Note - general purpose criteria, national implementation and capacity-building, site safety and terrorism, importance of the Scientific Advisory Board and its temporary working groups, increased OCPF inspections.

On sampling and analysis (S&A), Japan made two points: (1) at Schedule 2 sites, there should be a two-tier approach for selection, in which S&A might be added as a last resort to address specific issues or to build necessary confidence, but not based blindly on certain site characteristics; and (2) at Schedule 3 and OCPF sites, consideration of S&A should be based on a cost/benefit analysis. Japan also pointed out that transfers of Schedule 3 chemicals to States not Party should be left to the jurisdiction of SPs, the use of challenge inspections was something that was expected by those who gave the OPCW its responsibility, and the structure of the TS needs to continue to shift as it changes its emphasis from destruction to non-proliferation.

¶6. (U) The UK made comments on a number of topics, including: the need to keep CW expertise within the Technical Secretariat (TS) after 2012 to deal with old chemical

weapons, non-compliance, etc.; CW destruction, including conversion, as the sole responsibility of the possessor; a nod to the EC-51 decision on timely declarations; harmonization of low concentration limits and AND declarations; possibility of making the current voluntary notification of Schedule 2/3 sites ceasing of operations mandatory; no strict hierarchy of risk (e.g., Schedule 3 sites producing large quantities using inflexible designs v. OCPFs with great flexibility); UK National Authority and industry support for continued S&A; continued Article VII efforts, including work with industry (e.g., Responsible Care); additional SAB meetings funded by the regular budget.

¶7. (U) Canadian delegate requested that delegations, statements in this discussion be made available in writing. TS representative and other delegates specifically requested

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copies of the U.S. points; del reps said we would be submitting a written paper soon.

¶8. (U) The schedule for the meetings of the Working Group in 2008, which will become more frequent, was also distributed (all meetings 10:30 - 12:30):

- Thursday, January 17
- Thursday, January 24
- Monday, January 28
- February 4-5: S&A TWG meeting (tentative)
- February 6-7: Science and Technology TWG meeting (tentative)
- Friday, February 8
- February 11-13: Eleventh Session of the SAB
- Friday, February 15
- Thursday, February 21
- Thursday, February 28
- March 3: Destruction informals

- March 4-7: EC-52
- Thursday, March 13
- Wednesday, March 19
- Thursday, March 27
- Thursday, April 3
- April 7-18: Second RevCon

RUSSIAN CW DESTRUCTION DONORS MEETING

¶9. (SBU) The UK delegation called a relatively short-notice meeting for the afternoon of December 13 at their embassy. They made it very clear that the choice of venue was intentional because of the sensitivity of what they wanted to discuss. Having said that, the information is not classified, and it is likely to become widely known eventually. But, at the moment, they are asking that we keep this information very close-hold. The others in attendance are those other States Parties that are part of the global partnership (i.e., donors) in support of Russian CW destruction - U.S., the Netherlands, Italy, Sweden, Germany, Canada, Czech Republic, Finland, Norway, New Zealand, Belgium.

¶10. (SBU) James Harrison (UK MOD) led the discussion. The main topic was Kizner. He announced at this meeting the UK's intention to NOT move forward with their efforts at Kizner. He first explained the reasons they originally intended to support Kizner (e.g., the stockpile and destruction process is almost identical to that at Shchuch'e, hoping to apply lessons learned to ease moving forward, and welcoming the chance to again work successfully with Canada) and a brief history of the project since its announcement in summer 2006. The reality, however, has been that their former work at Shchuch'e offered no real benefit to getting the Kizner effort off the ground. It has proven difficult to work with the Russians to get the contracts/sub-contracts in place, as they have shown a desire to play a larger (i.e., equal) role in the process - insisting on trilateral agreements, breaking single contracts into multiple ones,

moving from commercial contracts to state contracts, Russian final approval on all sub-contractors, etc. The Russians also insisted on bilateral agreements with the UK, rather than agreements with a broader group of countries. The Russians also insisted on firm timelines in the agreements; for example, they insisted that all equipment be delivered by the end of 2008, although there were some indications that this date could have slipped to March 2009. Regardless, the UK would not make this commitment, particularly as the Russians have still not agreed to meet to discuss technical-level details of the equipment but rather have provided only a list of items.

¶11. (SBU) Some recent developments with Kizner:

- Meetings were held in Moscow in October with Kholstav and his staff to try to move things along, but progress is still slow.
- An October 22 letter to Kholstav offered several dates for follow-up meetings. Russia has not responded. The UK was not informed that Kholstav would be here for the CSP and, as such, could not make arrangements to meet with him in The Hague.
- The UK feared that negotiations would continue on indefinitely, giving Russia even more control of the process.
- The UK acknowledges now that the Russians can do this work themselves much more quickly.
- The Russian feasibility study for Kizner was only recently approved.

¶12. (SBU) All of this has led the UK to conclude that Russia would rather go ahead without the UK. The UK informed their ministers of the internal deadline they had set to decide to end this effort, following about seven weeks of no-response from Russia. This conclusion that Russia would rather proceed without the UK was to be reflected in a letter to Kholstav by the end of the week (December 14). In addition,

Amb. Parker (UK) planned to send a brief letter to the Russian ambassador in The Hague to inform him of this action, forward to him a copy of the Kholstav letter, and to express his regret - nothing more.

¶13. (SBU) Harrison state that, in reality, this situation might have been predicted given how increasingly difficult work at Shchuch'e has become over the past 18 months. All real progress during this time has been via direct letters to Kholstav. Work in this arena has just become more difficult in Russia, in direct contrast to the UK's relatively smooth work with Russia on nuclear issues. Harrison was quick to say that they feel these problems are "self-contained" and not related to any other strains in UK/Russia relations.

¶14. (SBU) In response to questions from the other delegations, Harrison reviewed the fact that Kizner is not a part of the work needed by Russia to meet its 45-percent deadline. Also, even with UK assistance, there are still serious doubts about achieving completion of destruction at Kizner by 2012, the August 2007 site approval being a significant indicator of this concern. Harrison also made it clear that they see this week's letter to Kholstav as the end to this project and to their involvement at Kizner.

¶15. (SBU) Harrison went on to give a brief report of the ongoing effort at Shchuch'e. Difficulties similar to those at Kizner have started to creep into the workings at Shchuch'e, especially Russian insistence on more involvement in contracting. Some of these difficulties go against previously agreed procedures and are causing significant delays. Recently, FAI has questioned the UK's ability to make relatively minor changes to their prime contract without Russian approval. If this position persists, the UK would not be able to move forward with its contract, and the work would have to cease. If that were to occur, funds would be returned to donors. The UK has proposed a meeting with Kholstav the week of December 17 for what the UK sees as a last chance to work this out. Although he has not yet agreed to the timing of such a meeting, Kholstav has made a call for four-way meetings instead (to include the U.S. and Canada),

something that has not been done for a couple of years now.

¶16. (U) At the close of the meeting, the group confirmed that the next donors meeting will be held on March 3 at 10:30, on the margins of the EC meeting.

ISN/EX VISIT

¶17. (U) Peggy Neerman and Rosetta Goode (ISN/EX) visited the delegation December 12-13 to discuss budget and management issues. They met with the Financial Management staff and the Management Counselor at the Embassy, and with the Ambassador, staff at the residence, as well as with del staff.

¶18. (U) Beik sends.

Schofer